



St. Lucie County

Legislative Update

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Our Mission....

To provide service, infrastructure and leadership necessary to advance a safe and sustainable community, maintain a high quality of life, and protect the natural environment for all our citizens.

BUDGET CONFERENCE TO START THIS WEEK

10 Things to know about the budget:

Budget Conference -- Negotiations between the House and Senate after the two have failed to pass the same budget. The negotiations end when both have the exact same budget.

Allocation -- A nonbinding agreement between the House and Senate providing a specific amount of money each budget category has to spend going into budget conference negotiations.

Appropriation -- The authorization to spend public money, but not the actual disbursement of money.

Supplemental Funding Initiatives -- The final budget items to be resolved in negotiations. They are often items that were funded in either the House or Senate budget and sometimes they are enhancements to existing line items.

Conference Report -- A strike-all amendment containing the budget agreed to by both chambers after negotiations. It's adopted by both chambers before the budget is sent to the governor.

General Appropriations Act (GAA) -- One bill that authorizes spending of public money for the fiscal year. It contains a line-item list of all of the state's expenses by category (e.g. health, education) as well as employee salaries and infrastructure projects.

Implementing -- One bill that contains directions to execute the General Appropriations Act. Those bills are effective for one fiscal year only.

Conforming -- A series of bills that amends Florida Statutes permanently to fall in line with the General Appropriations Act.

Proviso -- Language beneath a line-item in the GAA typically restricting, qualifying or making state funding contingent upon a certain event or fact.

Back of the bill -- A portion of the GAA that provides funding for shortfalls -- as well as reversions from surpluses -- for previous or future fiscal years. It also serves to cleanup other paperwork issues.

Click the links below



Watch Session Live:**Connect with
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**APPEALS COURT TELLS DJJ TO PAY UP**

An appellate court has said "pay up" to the Florida Department of Juvenile Justice (DJJ) in a financial dispute with Pinellas County over the cost of "secure juvenile detention care."

The 1st District Court of Appeal, in an opinion released Thursday, ruled against the department in a case the judges noted was "one of many now pending before this Court, with more in the pipeline."

Indeed, in December the same court ruled against Pinellas and Broward counties, saying their claims of being owed money were "a critical matter" but "not one for us to resolve."

Under a 2004 state law, counties pony up to house juvenile offenders before their case is handled in court. Afterward, the state pays for minors' incarceration. But an array of counties has sued the state over collective overbilling of the counties of after a cost-sharing agreement set up in 2009 started causing problems. Even though the department agreed it needed to pay some counties it said it couldn't settle up because it didn't have the funds.

The court essentially said: Find the money.

"We ... once again remand to the Department with instructions to apply the appropriate amount of credit (or debit) to Appellant's account after calculating and accounting for actual costs as required by the statute, rule, and our prior decisions," the court said.

DEATH PENALTY COMPROMISE PASSES THE HOUSE

The House passed a bill fixing Florida's currently unconstitutional death penalty laws on a 93-20 vote Feb. 18, 2016, after it was amended with compromise language bringing it closer to a similar proposal in the Senate.

The amendment to HB 7101, passed Feb. 17, 2016, requires that at least 10 of 12 jurors recommend execution for it to be imposed. The bill previously would have allowed a 9-3 juror vote for a death sentence.

Under the House bill and the Senate measure, juries will have to unanimously agree on at least one aggravating factor before recommending death. If the juries cannot unanimously agree on an aggravating factor, the jurors must recommend a life sentence without parole.

Judges will be required to follow the jury's recommendation for life, eliminating the previous ability to override the jury and impose a death sentence. Judges will be able to reduce a death sentence to life if they think it is warranted.

Also under Representative McBumey's compromise amendment, prosecutors will have to notify the defendants what aggravating factors they intend to prove in the death cases.

ETHICS BILLS MOVE FORWARD IN LEGISLATURE

Sen. Don Gaetz, R-Niceville, is nearing the final push in a two-year effort to crack down on public corruption. Gaetz's Florida Anti-Corruption Act of 2016 is one stop away from a Senate floor vote after clearing the Senate Community Affairs Committee Feb. 17, 2016.

Among other things, SB 686 prohibits legislators from accepting a job for which they are not qualified -- as determined by the Florida Ethics Commission -- or in exchange for favors delivered while the lawmaker held public office. The language also includes a provision requiring local governmental entities to establish a policy and registration for lobbying their organization.

In addition SB 686:

- Adds more financial disclosure requirements
- Clarifies that citizens do not have to provide written copies of remarks to testify at a public meeting,
- Bars lawmakers from quid pro quo employment once they leave elected office.

A House bill (HB 593) containing some of the language in SB 686 also passed its second committee stop Tuesday.

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FEDERAL UPDATE

Provided by Van Scoyoc Associates

As you know, the Administration released its \$4.1 trillion Fiscal Year (FY) 2017 budget request yesterday. The following chart includes the Administration's proposed funding levels for programs of interest to the County:

Program	FY 2015 Enacted (in millions)	FY 2016 Enacted (in millions)	FY 2017 Budget Request (in mil- lions)
Land and Water Conservation Fund State Grant Program	48.1	110	110
National Institutes of Health	29,900	32,000	33,100
Community Development Block Grant	3,000	3,000	2,800
HOME Investment Partner- ships	900	950	950
Community Services Block Grant (CSBG)	674	715	674
Low Income Home Energy Program (LIHEAP)	3,390	3,390	3,000
Administration for Communi- ty Living (including the Older Americans Act programs)	1,621	1,964	2,076
Army Corps of Engineers – Construction General	1,600	1,862	1,090
ACOE - Investigations	122	121	85
Airport Improvement Program	3,350	3,350	2,900
COPS Hiring Grants	180	187	229
Byrne Justice Assistance Grants (JAG)	376	476*	383.5*
Assistance to Firefighters Grants (AFG)	340	345	335
Staffing for Adequate Fire and Emergency Response Grants (SAFER)	340	345	335
Economic Development Ad- ministration	250	261	258

* The FY 2016 omnibus included a one-time \$100 million boost to Byrne JAG to assist the cities hosting the 2016 Presidential conventions, which is reflected in the \$476 million listed in the above chart. Therefore, excluding this funding, the Administration's FY 2017 request of \$383.5 million is actually an increase to the program.

Some other items of note:

- The Administration included a proposal to narrow the application of the Cadillac tax on high-cost health insurance plans. Under this proposal, any state with an average annual premium for the highest insurance tier (i.e. a "gold" plan on the exchange) that would exceed the Cadillac tax threshold (\$10,200/year for individuals and \$27,500/year for families) would see the threshold reset to the *average* annual premium of the gold plans in that state. Essentially, the proposal would index the Cadillac tax by location to try and accommodate states with higher healthcare costs. As a reminder, the Cadillac tax is currently slated to go into effect in 2020, after the FY 2016 omnibus included a two-year delay.
- As in previous budget requests, the Administration proposed a 28 percent limit on all itemized deductions for high-income individuals. If accepted by Congress, this would apply to all new and outstanding municipal bonds. Specifically, bonds would become more expensive to offer because high-income individuals who are most likely to invest in municipal bonds would pay a surtax on their income above a certain threshold and would not be able to deduct the tax-exempt interest. In the past, Congress has rejected this proposal.

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FEDERAL UPDATE CONTINUED

- The Administration again proposed two new infrastructure bonds:
 - * America Fast Forward Bonds, which would be similar to the successful Build America Bonds program created in the 2009 stimulus legislation that paid issuers a rebate equal to 35 percent of interest costs; and
 - * Qualified Public Infrastructure Bonds (QPIB), which would be tax-exempt bonds similar to Private Activity Bonds (PAB) that are sometimes used for public-private partnerships on infrastructure investment projects. However, unlike PAB's, the interest would not be subject to the alternative minimum tax, and there would be no annual cap on the number of QPIB's issued.
- The budget proposes to establish a \$2 billion Coastal Climate Resilience program within the Department of the Interior that would provide resources over 10 years for at-risk coastal states and local governments to prepare for and adapt to climate change, including such actions as relocating entire towns. The program is paid for by repealing the part of the Gulf of Mexico Energy Security Act (GOMESA) that directs an increased portion of federal offshore oil and gas revenue to four Gulf of Mexico states (this would not affect Florida).
- The budget also includes \$42 million to help with technical assistance and training for state and local governments seeking to improve infrastructure for drinking water and sewage treatment, including \$20 million for the Water Infrastructure Finance and Innovation Act (WIFIA), which will provide low-interest loans for large water infrastructure projects. This is likely in response to the water crisis in Flint, MI.
- The Justice Department would receive \$500 million a year for a 10-year "21st Century Justice Initiative." The initiative's goal, among other things, is to reduce violent crime. The request includes \$97 million for training local law enforcement.
- The budget proposes to attempt to end family and chronic homelessness by investing \$11 billion in mandatory spending for short- and long-term rental assistance over the next 10 years and \$2.8 billion in discretionary spending to expand rapid re-housing and targeted Housing Choice vouchers. The budget also adds 25,500 units of permanent housing to the nation's inventory through the Homeless Assistance grants, which is part of the Continuum of Care program. These initiatives are supported by increased funding for key programs within the Substance Abuse and Mental Health Services Administration, several homeless programs through the Department of Veterans Affairs, the Department of Labor's Homeless Veterans' Reintegration Program, as well as increases to other existing federal programs that target homelessness.

Keeping in line with President Obama's executive orders on gun control and mental healthcare that he issued in January, the request includes \$500 million in mandatory spending for mental health services over two years. This initiative includes increased access to early intervention programs, expansion of the behavioral health workforce in areas experiencing a shortage of providers, suicide prevention programs, and the promotion of family- and community-based care.

